



CASE A-21855/P2/CGC 2002/CPA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
RAYMOND SELTZER ET AL

Group Art Unit: 1731

Examiner: M. Alvo

APPLICATION NO: 09/234,253

FILED: JANUARY 20, 1999

FOR: INHIBITION OF PULP AND PAPER
YELLOWING USING HYDROXYLMINES
AND OTHER COADDITIVES

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MAY 30 2003
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Commissioner for Patents
Washington, D.C. 20231

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TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION (37 CFR 1.321(c))

Sir:

I, Kevin T. Mansfield, represent that I am the Agent of record for this invention.

Ciba Specialty Chemicals Corporation, a corporation organized and existing under the laws of the State of Delaware, represents that it is the owner of the entire interest in the present application No. 09/234,253 by virtue of an assignment recorded in the United States Patent and Trademark Office on March 25, 1999, reel/frame 009838/0236.

Ciba Specialty Chemicals Corporation hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on application No. 09/234,253 which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of the U.S. Patent issued on app. No. 09/483,017, filed Jan. 13, 2000, the patent application forming the basis of the double patenting rejection. The owner hereby agrees that any patent so granted on

application No. 09/234,253 shall be enforceable only for and during such period that it and the patent issued on U.S. app. No. 09/483,017 are commonly owned, this agreement to run with any patent granted on application No. 09/234,253 and to be binding upon the grantee, its successors and assigns.

Said U.S. Patent application No. 09/483,017 is also entirely assigned to Ciba Specialty Chemicals Corporation by virtue of an assignment not yet recorded in the United States Patent and Trademark Office.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on application No. 09/234,253 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the patent issued from application No. 09/483,017, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term.

Respectfully submitted,



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